REMARKS

Claims 2-7 and 9-16 are pending in this application. In the previous office action, the Examiner rejected all of the claims. No claim has yet been allowed. Claims 3 and 10 have been amended. Reconsideration is respectfully requested.

Claim Rejections - 35 U.S.C. § 112

The Examiner rejected claims 2-7 and 9-16 under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner rejects claims 3 and 10 stating that "the claims are indefinite as to whether the unique identifier has a corresponding communication protocol or is independent of any communication protocol." Claims 3 and 10 have been amended to clarify that the unique identifier is independent of any communication protocol by further reciting the step or function of "determining a destination address according to a communication protocol by a database lookup using the unique identifier of the embedded device." Support for this amendment can be found at least in the specification as originally filed on page 17, lines 7-8.

Applicants respectfully request withdrawal of this rejection with respect to claims 2-7 and 9-16 as now amended.

Claim Rejections - 35 U.S.C. § 102

The Examiner rejected claims 2-7 and 9-16 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 5,940,074 to Britt et al.

With respect to claims 3 and 10, Applicants assert that the passages cited by the Examiner in making this rejection do not satisfy the Examiner's burden of making a prima facie case for anticipation of each of the claim elements under 35 U.S.C. § 102(e). None of the passages cited by Britt describe a system and method of providing guaranteed delivery of messages to embedded devices in a data network in a manner that is independent of communication platform as recited in claims 3 and 10. The rejection on its face is deficient.

Specifically, in column 4, lines 17-20 and column 5, lines 16-26, Britt generally discusses a WebTV client-server system that provides web browsing and email services. Furthermore, from column 8, line 13 through column 9, line 34, Britt merely discusses a process for remote upgrade of client software over a network using connection scripts. Britt does not provide any

technical discussion as to how such messages are routed through the network. More particularly, Britt does not describe the interaction of queue manager and a message router as now claimed to provide guaranteed delivery of messages to embedded devices in a data network in a manner that is independent of communication platform.

In contrast, the present invention as now recited in claim 3 is a message router system that includes a router coupled to a message store and a queue manager. The queue manager queues messages from one or more server processes that are destined for plural embedded devices. Each message is addressed to one of the embedded devices with a unique identifier that is independent of any communication protocol. The queue manager establishes a connection with the router to transfer the queued messages. For each message, the router determines a destination address according to a communication protocol by a database lookup using the unique identifier of the embedded device. The router then transmits the message directly to the destination address of the embedded device regardless of whether the embedded device is active at that particular moment in time. The router waits for acknowledgment that the messages were received from the embedded devices. If an acknowledgment is not received, such as when an embedded device is powered off, the unacknowledged messages are kept in a message store. These unacknowledged messages are kept in the message store until the corresponding embedded devices can accept messages, such as when the embedded devices are powered on. Claim 10 recites similar features for a method. Support for these amendments can be found in Figs. 2B and 2C and in the surrounding discussion from page 15, line 3 to page 18, line 17.

By queuing messages addressed with unique identifiers that are independent of any communication protocol and then translating the unique identifiers into destination addresses of the embedded devices, server processes can be implemented to communicate directly with individual devices unaware of the underlying communication protocols (e.g., SMTP, TCP/IP, etc). Thus, the present invention facilitates portability across different communication platforms.

For at least these reasons, Britt does not anticipate features of amended claims 3 and 10, specifically the features of (i) queuing messages from one or more server processes with each of the messages being addressed to an embedded device with a unique identifier that is independent of any communication protocol; (ii) for each message, determining a destination address that corresponds to the unique identifier of the embedded device; and (iii) transmitting the message

directly to the destination address of the embedded device over the data network regardless of whether the embedded devices are active on the data network.

Thus, the prior art of record does not teach or suggest the present invention as defined in amended claims 3 and 10 and thus are patentable. By virtue of their dependency upon claims 3 and 10, it is believed that claims 2, 4-7 and 9, 11-16 are also patentable.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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